



Appeal against the decision by Manchester City Council to  
refuse planning application 142264/FH/2025

for

Erection of a two storey side and rear extension together with  
the installation of a rear dormer following the demolition of  
the detached garage

at

14 Grange Drive Manchester M9 7AL

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## 1.0 Introduction

1.1 The Appeals Guy Limited seeks to appeal against Manchester City Council's decision to refuse planning application 142264/FH/2025, for the Erection of a two storey side and rear extension together with the installation of a rear dormer following the demolition of the detached garage. The application was determined on the 23<sup>rd</sup> April 2025. It was refused for the following reasons –

1. The rear dormer extension, by reason of its inappropriate siting on the rear roof slope of the proposed side and rear extension would be considered an overdevelopment of the property's roof space. As such, the proposal is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and the National Planning Policy Framework.
2. The proposal, by reason of its siting, scale, and massing, and inappropriate design choices, would not be visually subservient to the host dwellinghouse, would introduce detrimental visual elements to the street scene, and would form a visually incongruous and obtrusive structure which would not be sympathetic to the appearance of the host dwellinghouse or its surrounding area, to the detriment of visual amenity and, as such, is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and the National Planning Policy Framework.
3. The proposal, by reason of its excessive scale, sideward projection, and siting in a prominent location, would form an overly dominant and visually obtrusive feature which would be out-of-keeping with the character of the surrounding area and would project beyond the established building lines of Lea Drive, affecting the spacious character and views along the street to the detriment of visual amenity. As such, the proposal is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy, and the National Planning Policy Framework.
4. The proposal by reason of its proximity to the plot's shared boundaries, together with its excessive scale, massing and bulk, would have a detrimental effect upon the residential amenity of those occupying the neighbouring property of No.16 Grange Drive, in terms of overshadowing, loss of light, and loss of outlook as well as the introduction of an overbearing presence into the area. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC1 of the Unitary Development Plan for the City of Manchester, and the National Planning Policy Framework.

1.2 It is the aim of this statement to attempt to overcome the above reasons for refusal and demonstrate that the scheme is of an acceptable design and does not impact on the character of the area, or the amenity of the neighbours, and is therefore compliant with both national and local planning policies.

## 2.0 Site and Proposal

- 2.1 The application property is located on the northern side of Grange Drive. The application property is an end terrace dwelling, and currently benefits from a detached garage to the east of the dwelling. The property has a hipped roof, and is finished in red brick. The entrance to Lea Drive is located to the east of the site, with residential properties surrounding the application site.
- 2.2 The area is characterised by a collection of well maintained, semi-detached properties and short terraces of residential properties. The dwellings are relatively tightly packed, and close to the highway to the front of the dwellings. A number of properties in the immediate and wider area have been extended to the front, side and/or rear.



Figure 1 - Location of Site

- 2.3 The refused application sought permission for alterations to this residential dwelling. The works are described as follows in the Officer's report –
- “Erection of a two storey side and rear extension together with the installation of a rear dormer following the demolition of the detached garage”*
- 2.4 The submitted drawings are below for information purposes –

# APPEAL STATEMENT

## 14 Grange Drive, Manchester, M9 7AL



Submitted existing plans and elevations



Submitted proposed plans and elevations

APPEAL STATEMENT  
14 Grange Drive, Manchester, M9 7AL



Submitted existing and proposed site plan

### 3.0 Statement of Case

- 3.1 The site is located within the Manchester Council area. The Council has stated that the following policies were relevant when making the decision –

**Unitary Development Plan (UDP)** – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

**The Manchester Core Strategy** – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

**The National Planning Policy Framework (NPPF, 2024)**

- Chapter 12 – Achieving Well-Designed Places

**Places for Everyone** - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

- Policy JP-P1: Sustainable Places

- 3.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to: (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

#### *Common Ground*

- 3.3 Within the Officer report, the Planning Officer concedes that some elements of the design are acceptable. The Report states –

*“Whilst there are elements of the proposal’s design which are considered acceptable, such as its use of matching materials”*

- 3.4 The Officer’s Report goes on to state that the dormer window to the rear would not have an adverse impact on the amenity of the neighbouring properties –

*“Due to the rear dormer’s siting on the roof of the property, it is understood that issues associated with overshadowing, loss of light, and loss of outlook would be limited. Its only windows would be rear-facing and setback from the eaves and, as such, would provide no further degree of overlooking than any existing windows at first floor level with a minimal impact upon the levels of privacy currently experienced.”*

- 3.5 Finally, the Officer’s Report states that the scheme would not impact on waste storage/collection, nor lead to any highways issues –

*“Waste storage – the current waste storage arrangements would be unaffected by the proposal.*

*Parking – the current parking arrangements would be unaffected by the proposal.”*

#### **Concerns raised by Manchester Council**

- 3.6 It is apparent that the key issues relating to this scheme are –

- Issues over the design/scale of the dormer to the rear
- The design/scale of the extensions to the side/rear
- Impact of the side extension on the character of the area
- Impact on the amenity of the residents of the property at 16 Grange Drive

- 3.7 Taking each point in turn -

#### **The size and scale of the dormer**

- 3.8 When discussing the above, the relevant section of the Officer’s report states –

*“The rear dormer extension would represent an overdevelopment of the property’s roof space on account of its inappropriate siting on the roof of the proposed side extension.”*

- 3.9 It goes on to state –

*“In addition to this, the excessive mass and bulk of the rear dormer extension (which would project onto the roof slope of the side extension as well as the host dwellinghouse) would further contribute to the proposal failing to read as a visually subservient addition to the property, representing an overdevelopment of the property’s roof space.”*

- 3.10 The Officer’s Report and Reason for Refusal 1 makes it clear that in the opinion of the Council this element of the scheme is contrary to Policy DC1 of the UDP, and Core Strategy policies SP1 and DM1.

- 3.11 Policy SP1 of the Core Strategy is a broad brush policy that has little relevance to the specifics of this reason for refusal.

- 3.12 The relevant section of Policy DM1 of the Core Strategy states –

“All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.”

- 3.13 Again, it should be noted that dormer windows are not specifically mentioned within this Policy. Policy DM1 is another “broad brush” policy that offers little in the way of specifics, and is open to interpretation.
- 3.14 Policy DC1 of the Citywide Development Control Policies goes in to a little more detail but again fails to specifically mention dormer windows and roof extensions. It states that extensions should not be overly large, bulky, and out of place, but again, this leaves developments very much open to interpretation.
- 3.15 The Officer’s report states twice that the Council has concerns that the dormer would extend into the roof space of the side extension. No adverse comments are made in the Officer’s Report regarding the change from a hip to a gable roof, so it is assumed that the Council has no concerns over this design feature. It is also implied in the Officer’s report that if the dormer was contained within the roof space of the existing dwelling, and did not extend into the roof space of the extension, then it would be acceptable.
- 3.16 A recent appeal - APP/B4215/D/24/3351938, for a dormer in the rear roof slope of 23 Mauldeth Road West, Manchester, had similar issues to those stated above. Whilst the design of the dormer is different, the Council had concerns over the size, bulk,

and massing of the proposed development. The proposed plans are below for information purposes –

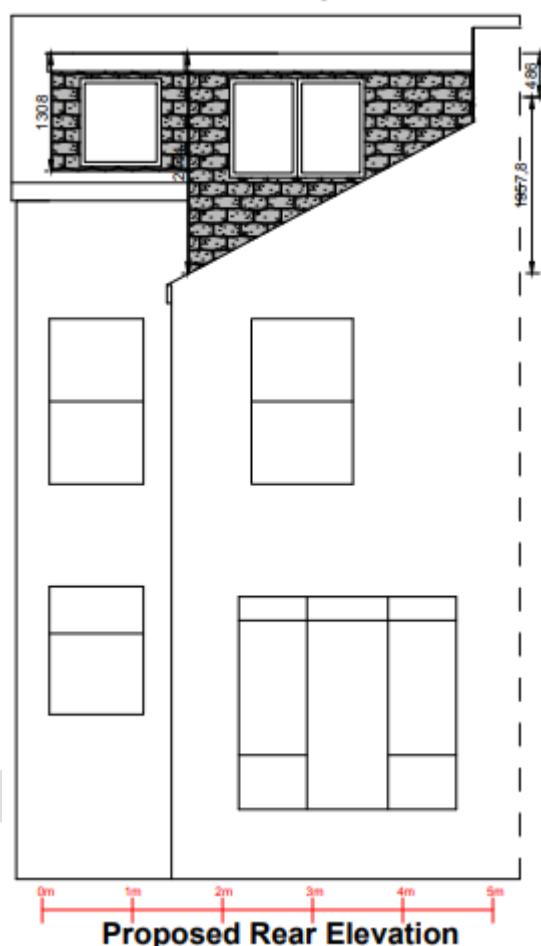


Figure 2 - Proposed rear elevation

3.17 The application was refused for the following reason –

*“The development by reason of its design, scale and massing and prominent position, results in an overly dominant, bulky and incongruous feature which is out of character with, and fails to contribute positively to, the general character of the local area. The development is therefore contrary to policies SP1, EN1 and DM1 of the Manchester’s Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1.”*

3.18 The applicant subsequently appealed the decision. When assessing the appeal, the Inspector stated –

*“The appeal proposal does appear as a bulky and dominant addition to the property and, in that regard, there is conflict with the above Development Plan policies. The*

*visual impact of the dormer is, however, tempered by its position at the rear of the property, which means that views from public areas are limited.”*

- 3.19 The Inspector states that as the dormer is located to the rear of the property, and whilst assessing it as bulky and dominant, the visual impact is less than if it were located to the front. This is similar to the appeal at 14 Grange Drive. As can be seen from the plan below, no properties would look directly at the dormer window given the location to the rear, and the angle of the neighbouring properties in relation to the appeal site. So whilst it may be a large dormer, it would not be overly visible or prominent given its location.

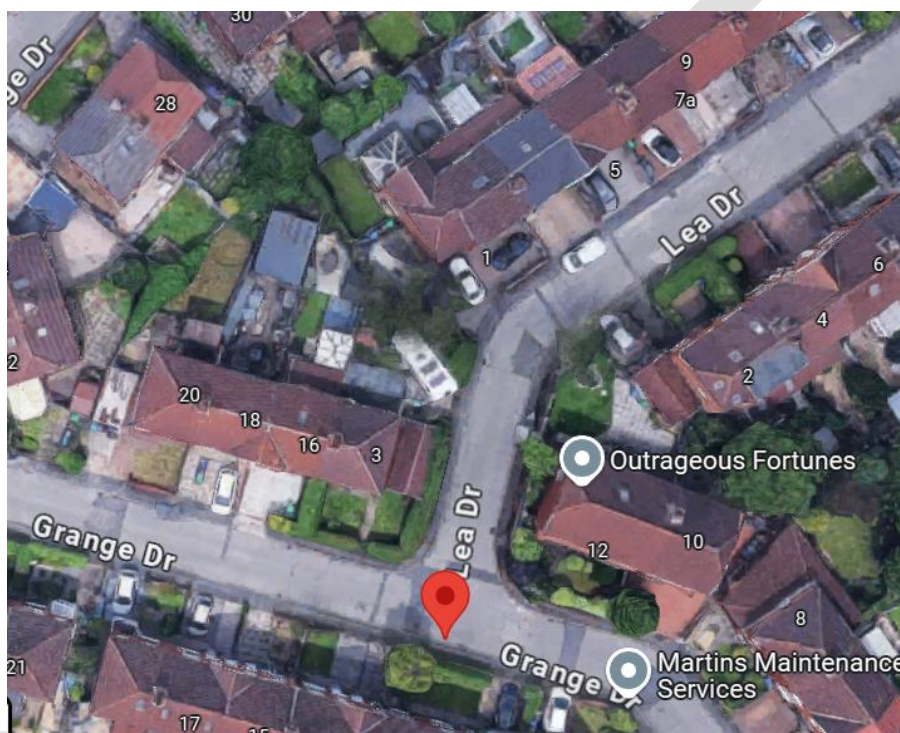


Figure 3 - Relationship with properties to rear

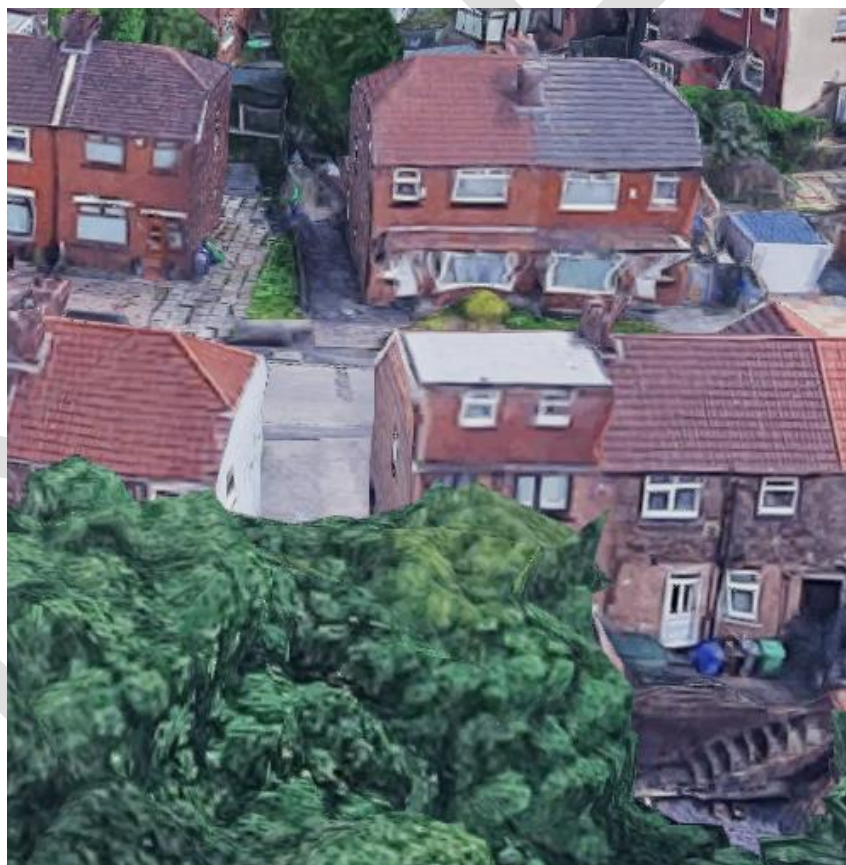
- 3.20 The dormer would not be prominent when viewed from the public realm. Furthermore, when visible, it would be seen within the context of the dwelling and the context of the wider residential area which is characterised by properties with differing roof styles, some with different materials. The below photograph highlights this further.



Figure 4 - View of rear of the property

- 3.21 As the above photograph shows, the dormer would form part of the visual clutter of the area. A dormer is a traditional domestic feature in a residential area, and would not create an incongruous feature when viewed from the public realm. As the above photograph shows, the area is characterised by properties with different finishing coloured brickwork, and UPVC. Also, the street contains metal railings, lampposts, hedges, wall, and fences, and other visual distractions, which combined, ensure that the proposed dormer would not create an eye catching feature and would simply create an addition to this residential property, adding to the distinctiveness of the area.
- 3.22 The Inspector's decision of the aforementioned appeal goes on to state –
- "In reaching my decision, I am also required to consider the 'fallback' position put forward by the appellant, which is a material consideration. I accept that a smaller dormer could be constructed under permitted development and I also note that the Council would have no objection to a rear-facing dormer within the main roof area."*
- 3.23 The following paragraph of the Inspector's report states –
- "Furthermore, I consider that a smaller dormer would not be significantly different in appearance when compared to the appeal proposal and therefore, on balance, I conclude that the appeal should succeed."*

- 3.24 Again, it is easy to draw comparisons between the allowed appeal at 23 Mauldeth Road West, and this current appeal. The current appeal site would also benefit from a legitimate fall back position of a smaller dormer. The Council have also stated that a rear facing dormer would not lead to a loss of privacy, and concerns have only been raised over the extension into the roof space of the side projection. We submit that just like at 23 Mauldeth Road West, there would be no materially significant difference between the level of impact on the character of the area between a smaller dormer and the applied for dormer. Both would be accommodated comfortably within the roof space, both would be an every day, standard, domestic feature in a residential area, and both would not be prominent when viewed from the public realm. It is considered that the dormer that is the subject of this current appeal, would not create an incongruous feature within the streetscene, and is considered to be acceptable.
- 3.25 Finally, the following is a collection of large dormers that are in situ within the surrounding area. Whether they have been built under permitted development rights, or have been granted permission is irrelevant in our opinion. The fact remains, they are in situ and help to create the character of the area.



*Figure 5 - 51 Grange Drive - 100m from appeal site*



*Figure 6 - Lea Drive - 20m from appeal site*



*Figure 7 - Selkin Drive - 50m from appeal site*

***Impact of the development on the character and amenity of the area***

3.26 Reasons for refusal 2 and 3 both relate to the scale of the development and the impact on the character of the area so these reasons for refusal will both be discussed together in this section.

3.27 When discussing these elements of the scheme the Officer's report states –

*"It is considered that the first-floor element of the side extension would have an unduly harmful impact upon the visual amenity of the area on account of it projecting beyond the clearly established building lines of Lea Drive, eroding the spacious character of this entrance into Lea Drive, as well as its lack of visual subservience to the host dwellinghouse."*

3.28 The Officer's report goes on to state –

*"This view is further maintained as there is no relevant precedent for two-storey side extensions on corner plots within this locale as the example present at No.41 Grange Park Road was approved in 1992 under 041723 and, as such, predates current Council policy, whilst the example present at No.12 Grange Drive does not benefit from planning permission."*

3.29 When discussing subservience, the Officer's Report states –

*"Further to this, the side and rear extension is also considered to represent an 'excessively large and bulky' addition to the property, which would fail to read subserviently to the host dwellinghouse as a result of its significant sideward projection and lack of a reduced ridge height."*

3.30 When discussing the rear roof form, the Officer Report states –

*"The part-flat and part-dual pitch roof form proposed at first-floor level to the rear of the extension is considered to be an inappropriate design choice as it would not be subservient to the appearance of the existing dwellinghouse, nor would it be inkeeping with the character and appearance of properties in the surrounding area, which predominantly features hipped roof forms. Moreover, whilst it is acknowledged that No.1 Lea Drive features a two-storey side and rear extension with a dual pitch roof form, it should be noted that this example was approved in 2003 under 069642/FH/2003/N1 and, as such, predates current Council policy and cannot be used to justify a precedent for roof forms of this type in this area"*

3.31 Finally, the Officer's Report states –

*"Further to this, the proposal would cause further harm as a result of its overt lack of visual subservience to the host dwellinghouse. Sited on a corner plot, the proposal would be highly visible within the street scene and public realm, meaning the degree of visual harm caused as a result of the works would be immediately perceptible. It should also be noted that the scale of the development proposed would be out-of-*

*character with the nearby residential properties, resulting in the proposal forming a visually incongruous and obtrusive feature, which would not be sympathetic to the host dwellinghouse or its surrounding area.”*

- 3.32 When assessing two storey side extensions, the Council has a specific policy contained within the UDP – Policy DC1.4. This Policy states –

*DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:*

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;*
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;*
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.*

*As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.*

- 3.33 When assessing the development against this policy, it is clear that the scheme fully accords with the relevant points. Section (a) is not relevant given the extension is located on the opposite side of a shared boundary with the adjoining property. Given that the development will not be located on a shared boundary, the works will not lead to the creation of a terracing effect, thereby according to section (b). With regards to section (c), the term “narrow gap” is not defined, but as the extension will be located on a corner plot, with a road sited between the proposed development, and the neighbour on the opposite side of the road, it is considered that by any interpretation, the works would not lead to a “narrow gap”. It is therefore considered that the works are fully policy compliant in that regard.
- 3.34 The Case Officer raises concerns over the impact of the first floor side extension, and its apparent impact on the building line of Lea Drive, and the “spacious character” of the entrance to Lea Drive. The screenshot from Google Earth, below, shows the layout of the site in relation to the properties on Lea Drive. The red line shows the established “building line.” It should be noted that given the orientation of the properties, it is debatable whether this is actually a building line at all. It is more of a natural curve, as opposed to a straight line, thereby softening the appearance of any development. It is in no way, shape of form, a traditional “return street frontage”,

and we assert that limited weight should be given to this argument put forward by the Council.

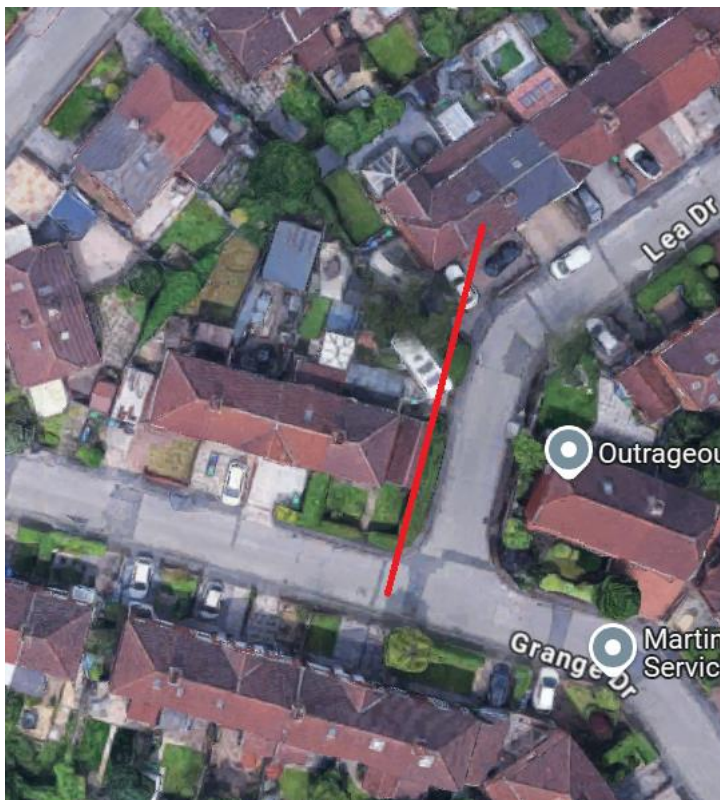


Figure 8 - Existing building line

- 3.35 As the submitted site plan shows, the actual development will not increase the width of the development on site, given that the extension would replace an existing garage.

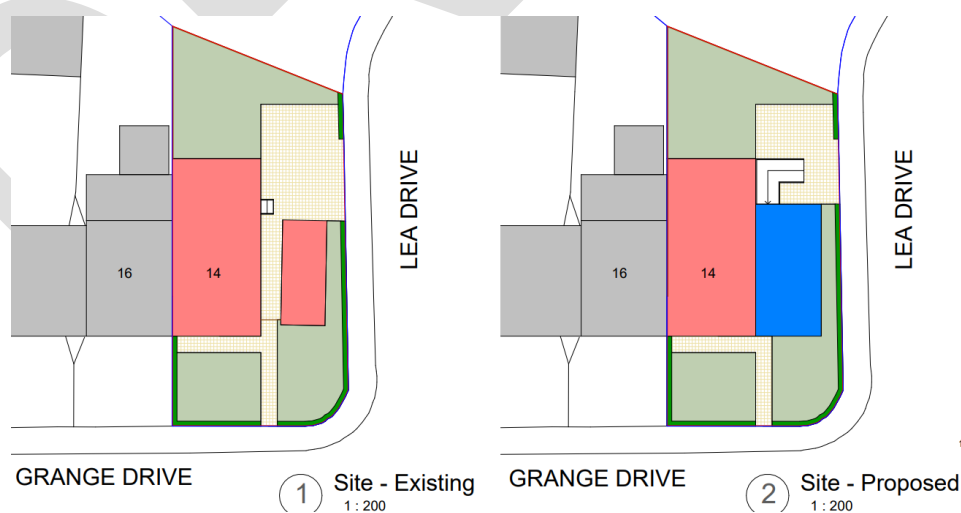


Figure 9 - Existing and Proposed site plan

- 3.36 Additionally, it should be noted that the property to the north, 1 Lea Drive, has been extended to the side – by erecting a two storey side extension, thereby artificially

altering the building line and thereby altering the relationship between the two properties. If 1 Lea Drive had not extended to the side, then the proposed two storey side extension at the appeal site would be in line with the bulk of the main dwelling as shown below.

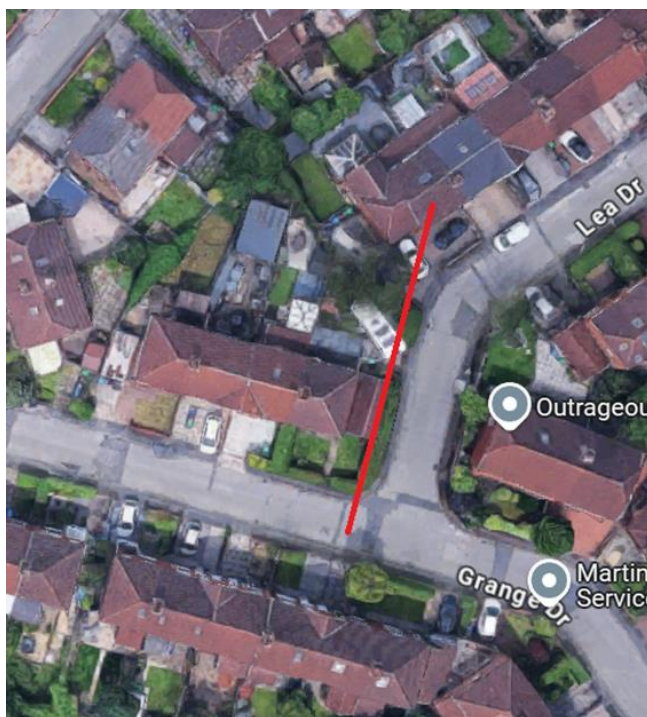


Figure 10 - Building line if 1 Lea Drive was not extended

3.37 The Council state that the works constitute overdevelopment, and a cramped form of development, that impacts on the openness of the entrance to Lea Drive. We contend that the development is a natural evolution of the property and the area. 1 Lea Drive, directly to the north has been extended to the side, and 12 Grange Drive, directly to the east has been extended to the side. The overall footprint to the side of the property would not be increased, and space between the extensions and the boundary would be retained, leading to the maintaining of an openness to the side of the dwelling. We submit to the Inspectorate that the development would not have an adverse impact on the “building line” to the north, given the orientation of the properties, the lack of true building line, and the fact that other properties have been extended in the area, leading to a development that is wholly in keeping with the immediate character of the nearby properties.

3.38 Turning to the Council’s concerns over lack of similar schemes in the area, the Officer’s report states –

*“...there is no relevant precedent for two-storey side extensions on corner plots within this locale as the example present at No.41 Grange Park Road was approved in 1992 under 041723 and, as such, predates current Council policy, whilst the example present at No.12 Grange Drive does not benefit from planning permission.”*

3.39 The Council state that there is no precedent for two-storey side extensions on corner plots and then directly contradicts themselves by providing two examples of two

storey side extensions on corner plots within the surrounding area. These properties, as with the property at 1 Lea Drive form part of the character of the area. Photographs of these properties are below for information –



Figure 11 - 12 Grange Drive



Figure 12 - 12 Grange Drive



*Figure 13 - 41 Grange Park Road*



*Figure 14 - 41 Grange Park Road*

- 3.40 Directly relevant to the Council's view, when allowing appeal APP/N4720/D/24/3346405, the Inspector stated –

*“The Council refer in the officer report that the example of rendering at No.8 New Windsor Drive cannot be considered as a precedent for the development, due to it lacking planning permission. However, there is no evidence presented that this development is currently the subject of enforcement action, and therefore it cannot be discounted as forming part of the character of the area.”*

- 3.41 This case law is directly relevant to this appeal. The Inspector makes it clear that something that is in situ helps to form part of the character of the area. This is a logical view given that the forementioned extensions have been in place for a number of years, and just because they are older, does not mean that the Council can discount them. We therefore submit to the Inspector that these aforementioned similar extensions are clear examples of precedents that add weight to the argument for the acceptability of the proposed side extension.
- 3.42 The Officer's Report goes on to state that the side extension has a lack of subservience due to the width of the proposal and the lack of set down at roof level. Whilst the roof would not be lower than the main dwelling, the width of the extension would be relatively minor, and would not dominate the plot. The host dwelling has a width of approximately 6 metres, and the proposed extension would have a width of 4 metres. This is an increase of approximately 66%, less than doubling the frontage of the dwelling. Furthermore, the first floor element would be set back from the front elevation of the dwelling by 1 metre, thereby reducing the bulk and massing, and add to the perceived subservience. As evidenced above, the property directly to the east has a two storey side extension that is built flush with the front elevation of that dwelling, and has a roof line in keeping with the height of the main dwelling. Given that the property is an end terraced property, it could be argued that a significant set back or a significantly lowered roof line would have a detrimental impact on the character of the terrace, adding an alien feature, leading to an incongruous form of development that unbalances the row of houses. This much more simple design, would allow the scheme to integrate seamlessly into the existing streetscene, mirroring a lot of existing features that are prevalent in the area such as matching materials, fenestration, and roof style. We therefore submit to the Inspector that this

element of the scheme is of a high quality design, and does not have a detrimental impact on the character of the property or the wider area.

3.43 Finally, the Officer's Report raises concerns over the roof form of the extension, particularly the flat roof element to the rear.

3.44 Policy DC1.3 of the UDP states that

*"Notwithstanding the generality of the above policies, the Council will not normally approve:*

*"b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;"*

3.45 It is important to note that the Policy says the Council would not **normally** approve flat roofs. It does not say that there is a blanket ban on extensions with flat roofs. In fact, in the Reasons section of the Policy it actually states –

*"Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria."*

3.46 This section of the policy clearly highlights the need for a flexible approach to decision making, and that the Policy should not be used as a blanket tool to refuse householder extensions that do not strictly comply with the numbers within the Policy. We feel we have demonstrated above that the extension would not significantly impact on the amenity of the neighbours, and we will now aim to demonstrate that when assessed on its merits, the roof form and the flat roof element would accord with the aforementioned policies.

3.47 It is our view that the two storey extension given the extremely limited height and the flat roof element, given the limited projection, are not prominent when viewed from the public realm as the photographs below will demonstrate. The first photograph shows the site from the south west. The pitched roof element would not be visible as

it would be screened by the existing dwelling, and the flat roof extension would not be prominent given its extremely limited projection.



*Figure 15 - View from South West*

- 3.48 The next photograph is taken from directly to the east of the site. The flat roof extension would be visible would not be prominent given its minor projection. Given the limited height of the pitched roof element, and its position well in to the site, it is unlikely to be visible from street level to any great extent. It will certainly not be a prominent feature.



*Figure 16 - View from the East*

- 3.49 It is only when one travels to the north of the site that the flat roof and shallow pitched roof becomes visible as the photograph below shows. When one travels along the street, it would not catch the eye, and would not lead to the creation of an incongruous feature on the dwelling, or the wider streetscene as a whole given the distance from the public realm and the fact the roof would be seen against the backdrop of the much bulkier host dwelling. The roofs would be much lower than the host dwelling, and would be a subservient feature on this residential dwelling. In fact, a lay person is unlikely to read the small flat roof element of the extension as a flat roof extension, given the height from the ground level and its minor nature. In any case, it would match the flat roof ground floor extension, and the flat roof dormer, forming a cohesive design that has a positive impact on the property. Given the set back from the highway, the shallow pitched element, and first floor flat roof element would have little to no impact on the character of the dwelling or the streetscene, and would certainly not create an “alien feature.”



*Figure 17 - View from the North*

- 3.50 The flat roof element would not be prominent when viewed from the public realm. It would be a minor addition to the scheme, and as discussed above, would have less mass, and therefore would be less bulky than a pitched roof. The extension would have a limited height and projection. When viewed from the public realm, it would be seen within the context of the dwelling and would not create an incongruous feature within the site or the wider area. We therefore submit to the Inspector that this element of the scheme is policy compliant and would assimilate well with the property and the wider area.

***Impact on the amenity of 16 Grange Drive due to the bulk and massing of the proposed rear extension***

3.51 When discussing this element of the scheme the Officer's Report states –

*“Due to the excessive mass and bulk of the side and rear extension in combination with its inappropriate siting and proximity to the plot's shared boundaries, it is considered that the proposal would give rise to unduly harmful impacts upon residential amenity, in terms of limiting the visual outlook, impacting the levels of light, and introducing an overbearing feature for those occupying No.16 Grange Drive, causing substantial harm to their first-floor rear-facing window, which is the only window to serve one of its bedrooms. The proposal is therefore considered to conflict with the principles set out under saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and chapter 12 of the National Planning Policy Framework..”*

3.52 The Officer's Report does not go into great detail when discussing the impacts of the proposed development. No assessment is made of the distance to the boundaries, or the orientation of the properties.

3.53 The proposed two storey extension to the rear would have a projection of approximately 3m from the rear elevation. It would have an extremely shallow pitched roof that would keep the bulk and massing to an absolute minimum.

3.54 Policy DC 1.3 states –

“DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows; e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).”

3.55 The above Policy does not state whether that the rearward extension refers to single or two storey extensions. Given the ambiguity it is therefore suggested that the Council accepts rear two storey rear extensions would projections of 3.65m. The Council have not raised any concerns with the ground floor element, just the first floor element, and its impact on the first floor bedroom windows. However, it is clear, that as the first floor element has a projection of less than 3.65m, it is therefore policy compliant, a point that the Council has failed to mention.

3.56 Moreover, as the plan below shows, the first floor extension element of the development is located to the north east of the rear elevation of 16 Grange Drive. Given the properties location in the northern hemisphere the sun would follow an east to west trajectory, passing to the south of the main dwelling. As stated above, the host

dwelling, is much higher than the proposed extension. It carried significantly more bulk than the proposed extension, and therefore would already cast a much greater shadow than what would be cast by this minor rear extension. The proposed extension would therefore not lead to any additional overshadowing/loss of direct sunlight due to this orientation of the dwellings, and the relationship between them. The Council raises concerns over outlook, and overbearing impact, but given the limited projection, and limited height of the extension, which would have a height much lower than the host dwelling, and a projection less than what is allowed by the aforementioned policy, and the orientation of the properties, any impact is likely to be minimal, and not significant.

- 3.57 The Planning Officer has not provided any evidence to demonstrate that the scheme would result in the loss of direct sunlight to any neighbouring properties and it remains unproven that the scheme would have a detrimental impact in terms of overshadowing over and above what is already experienced. The rear gardens of the neighbouring property to the west will already experience some shadowing from the existing buildings in the area (as does the appeal site), but this is normal in a standard residential area.
- 3.58 We submit to the Inspector that the extension would not significantly worsen the impact on the neighbouring properties to an extent as to warrant refusal of the application. We are therefore strongly of the belief that the scheme is policy compliant.

#### *Human Rights and Living Space*

- 3.59 The application has been made to allow for the care of a disabled family member. This was detailed within the submitted Planning Statement. The justification is outlined again below for information –

*“The applicant, Mike Bradley (son of Mr & Mrs Bradley senior), currently lives at 2 Lea Drive. Mike has 2 brothers. One brother, Paul Bradley, lives at 1 Lea Drive. The second brother, John Bradley, is disabled and suffers from MS. It was always the Bradley parents’ wishes, that when their disabled child will require high level care, that he be cared for at home by family, who live in the adjacent houses, as opposed to entering a disabled care facility. As John’s condition has deteriorated and he now requires closer support; the applicant Mike Bradley, and his wife, have decided to provide the in-house, high level, care which John requires. The proposal seeks to create a completely bespoke ground floor living space to cater for the disabled needs of John Bradley, complete with a fully accessible, wheel-chair friendly, living and dining area, kitchen, bedroom, toilet and bathroom/wetroom, as well as wheelchair access to the rear of the property. Mike and his family (wife and 2 children), will inhabit the first floor and the converted loft space. The upstairs levels, will need to be big enough to house Mike Bradley and the other members of his family (wife and 2 grown children), including ample bedroom space, kitchen and living areas.”*

- 3.60 Policy DC1.5 of the UDP states –

*“The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.”*

3.61 In the Officer's Report, it does state –

*“Whilst it is acknowledged that saved policy DC1 of the Unitary Development Plan for the City of Manchester highlights that the City Council will consider exemptions to development plan policies in the case of applications from disabled people who may require particular adaptations to their homes, in this instance, it is considered that the substantial degree of harm caused by the proposed extensions would not be outweighed by the benefits of the scheme.”*

3.62 So it is clear that the Council has gave some thought to the needs of the applicant but it is our opinion that their assessment of the harm caused by the development is inaccurate. As stated above, we feel that the scheme is well designed, and a good compromise between the need for space of the applicant, the specific needs of the disabled family member, and the impact upon the neighbouring amenity, and the impact on the character of the area.

3.63 Furthermore, paragraph 63 of the National Planning Policies Framework makes reference to people with disabilities in the context of meeting the needs of different groups. An addition to a dwelling that makes it suitable for a range of people with different needs is a small planning gain and weight should be given to any decision that would allow the creation of accommodation for disabled users.

3.64 It is therefore considered that more weight should be given to Article 8 of the Human Rights Act 1998 and the Public Sector Equality Duty ('PSED') set out at Section 149 of the Equality Act 2010. This sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic, such as a disability, and people who do not share it.

3.65 The proposed extensions would advance the equality of opportunity for a user with a protected characteristic. Accordingly, these benefits in assisting the needs of a person in a protected group, weigh in favour of the proposal, and we submit to the Inspectorate that more weight should have been afforded to this when the assessment was made by the Council.

## 4.0 Conclusion

- 4.1 In conclusion, it is our opinion that the size, design, and location of the development would not have a significant detrimental impact on the character of the streetscene, and would not have a significant detrimental impact on the character of the host property. The works would be sandwiched between existing 2 storey dwellings. The works would be set back from the public realm to the front and side, and the bulk of the development would not be prominent when viewed from the footpath and road to the south and east. Views of the dormer to the rear would be limited, and it would not lead to the creation of an incongruous feature.
- 4.2 The proposed works would not lead to a cramped form of development, would not lead to the creation of a terracing effect, and would be an example of good design, adding to the varied character in the area. It would also provide much needed accommodation for a resident with a protected characteristic, as detailed above.
- 4.3 The scheme, in our opinion accords with the aforementioned policies and would lead to the extension of this family home, providing the space that is needed for a disabled family member, in an attractive way, without impacting on the amenity of the neighbouring residents.
- 4.4 We respectfully request that the appeal is allowed, and that planning permission is granted for the above development for the above reasons.